UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASERN DIVISION

Melissa Callans, Plaintiff, v. TrueAccord Corp. c/o Illinois Corporation Service Corp. 801 Adlai Stevenson Drive Springfield, IL 62703, Defendant.	Case No. **COMPLAINT** **Jury Demand Requested**

JURISDICTION AND VENUE

1- This court has jurisdiction pursuant to 28 U.S.C. §§1331, 1337, 1367; and 15 U.S.C. §1692k(d).

2- Venue is proper because a substantial part of the events giving rise to this claim occurred in this District.

PARTIES

3- Plaintiff incurred an obligation to pay money, the primary purpose of which was for personal, family, or household uses (the ñDebtò).

4- Plaintiff is a resident of the State of Illinois.

5- Defendant is a corporation with its principal office in the State of California.

6- Defendant acquired the Debt after it was in default and therefore qualifies as a ñDebt Collectorò under the Fair Debt Collection Practices Act.

7- Defendant uses instruments of interstate commerce for its principal purpose of business, which is the collection of debts.

8- Defendant regularly attempts to collects, or attempts to collect, debts that it acquired after the same were in default.

9- At all times relevant, Defendant owned the Debt or was retained to collect the Debt.

FACTS COMMON TO ALL COUNTS

10- Prior to March 3, 2016, Plaintiff incurred a consumer debt (the ñDebtò)

11- On or around March 3, 2016, Plaintiff filed a voluntary Chapter 7 bankruptcy petition that included the Debt.

12- On or around June 14, 2016, Plaintiff received a discharge of her debts, including the Debt.

13- Despite the bankruptcy filing, on or around December 9, 2016, Defendant sent an email to Plaintiff to collect the Debt.

14- At the time of the email, Defendant knew, or should have known, that Plaintiff filed bankruptcy.

15- Defendant damaged Plaintiff.

16- Defendant violated the FDCPA.

COUNT I

17- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

18- Defendant violated 15 USC § 1692e(2) by misrepresenting the character, amount, and/or legal status of the Debt.

COUNT II

19- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

20- Defendant violated 15 USC § 1692e(10) by using false representations and/or deceptive means to collect, or attempt to collect, the Debt.

COUNT III

21- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

22- Defendant violated 15 USC § 1692f by engaging in unfair and/or unconscionable means to collect, or attempt to collect, the Debt.

COUNT IV

23- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

24- Defendant violated 15 USC § 1692e by engaging in false, deceptive, or misleading methods to collect a debt.

JURY DEMAND

25- Plaintiff demands a trial by jury.

PRAYER FOR RELIEF

26- Plaintiff prays for the following relief:

a. Judgment against Defendant for Plaintiffôs actual damages, as determined at trial, suffered as a direct and proximate result Defendantôs violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(1);

b. Judgment against Defendant for $1,000 in statutory damages for Defendantôs violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(2)(A);

c. Judgment against Defendant for Plaintiffôs reasonable attorneysô fees and costs incurred in this action, pursuant to 15 U.S.C. §1692k(a)(3); and

d. Any other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Meier LLC

By: */s/ Richard J. Meier*

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